NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTEWATER DISCHARGE GENERAL PERMIT
for the
FRESH FRUIT PACKING INDUSTRY

PERMIT ISSUANCE

Permit Issuance Date: June 15, 2004
Permit Effective Date: July 2, 2004
Permit Expiration Date: July 1, 2009

This permit was issued
by the
Washington State Department of Ecology
Olympia, Washington 98504-7600
in compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington as amended
and
The Federal Water Pollution Control Act as amended
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage by this permit are authorized to discharge in accordance with the special and general conditions which follow.

David C. Peeler, Manager
Water Quality Program
Department of Ecology

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
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FRESH FRUIT PACKING INDUSTRY

FACILITY AND COVERAGE INFORMATION

Permit Number: **Coverage Date:**

This facility meets the criteria for coverage under the Fresh Fruit Packing General Permit in compliance with Chapter 90.48 Revised Code of Washington as amended, and the Federal Water Pollution Control Act (Title 33 United States Code, Section 1251 et seq.) as amended.

Company Name:
Facility Name:
Mailing Address:
Location Address:

Water Source:

Receiving POTW*:

Receiving Water*:
Water Body ID : **Water Body Class:**
Discharge Location: Latitude: ° ' " N Longitude: ° ' " W

*** If blank no discharge to POTW or Surface Water is authorized**

Discharges and Treatment/Disposal Methods (TDMs) Authorized by this Permit:

ID	Wastewater Source	Chemical Additives	TDM

G. Thomas Tebb, L.E.G.
Section Manager
Water Quality Program
Central Regional Office

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SUMMARY OF PLANS, REPORTS, AND SUBMITTALS

TABLE 1. ITEMS TO BE SUBMITTED TO THE DEPARTMENT

Permit Section	Submittal Type	Submitted By	Frequency	Date Due	Date of First Submittal
S6.A.	Yearly Facility Report (YFR)	All facilities	1/year	January 31 of year following monitoring period	January 31, 2005
S6.A.	Monthly Discharge Monitoring Report (DMR)	Facilities with process water discharges to surface water	1/month	15th of month following monitoring period	August 15, 2004
S5.F.6.	NCCW Rapid Screening WET Test Results	All facilities discharging NCCW with additives to surface waters	Twice within first year of coverage **and** twice within 3 months of any change in additives	Within one year of permit issuance or at time of change in additives	July 1, 2005
G10.	Re-application for Coverage	All facilities	1/permit cycle	180 days prior to permit expiration	January 5, 2009

TABLE 2. NON-SUBMITTAL ITEMS

(Items to be kept on-site for use by the facility and available for inspection by the Department)

Permit Section	Report Type	Complete By	Frequency and Due Date
S7.	Environmental Compliance Plan	All Facilities	**Existing Facilities:** Update plan when re-applying for permit coverage plus as needed to reflect changes. **New Facilities:** Develop plan no later than one (1) year after commencement of any wastewater discharge. Update plan when re-applying for permit coverage **and** as needed to reflect changes.
S5.B.5.	Road Management Plan	Facilities discharging to dust abatement	**Existing Facilities:** Update plan when re-applying for permit coverage plus update as needed to reflect changes. **New Facilities:** Develop plan no later than one (1) year after start of any wastewater discharge. Update plan when re-applying for permit coverage **and** as needed to reflect changes.
S6.B. S5.B.3b S5.D.3b	Batch Mix Records	Facilities discharging dip tank, drencher, or pear float tank water to dust abatement or land application	Record all dip tank, drencher, or pear float tank water discharges to dust abatement or land application beginning immediately.

SPECIAL CONDITIONS

All discharges and activities authorized by this permit shall be consistent with this permit. The Permittee shall monitor for and report compliance with all effluent limits as specified in Condition S5. of this general permit, as well as comply fully with all the reporting, recording, sampling, and testing requirements specified in this general permit. The Permittee shall also monitor and report all significant process changes at the Permittee's facility, as specified in Condition S2.C.

S1. CRITERIA FOR COVERAGE

A. Types Of Facilities Or Dischargers Covered

Every new or existing fresh fruit packing facility which receives, packs, stores, and/or ships either hard or soft fruit, and discharges wastewater (with the exception of discharges of only domestic wastewater or discharges only to a delegated pretreatment POTW), shall be required to apply for and obtain coverage under either this general permit or an individual NPDES/State Waste Discharge Permit.

Any facility, as described above, which is located on the Colville Reservation may apply for coverage of only non-surface water discharges under this general permit. Only those sections of this general permit which deal with non-surface water discharges will apply to those facilities located on the Colville Reservation. Discharges to surface water are under the jurisdiction of the USEPA.

B. Geographical Area Covered

The geographical area covered by this general permit shall be the entire State of Washington.

C. When Facilities Must Be In Compliance With This General Permit

All existing facilities currently under permit and applying or re-applying for coverage under this general permit shall comply fully with all the terms and conditions herein upon receiving coverage under this general permit. Any such facility found in non-compliance shall be deemed in violation of the terms and conditions of this permit.

All new facilities applying for coverage under this permit shall comply with all the terms and conditions herein prior to commencing operations which may discharge pollutants. Any new facility found in non-compliance at any time after commencing operations shall be deemed in violation of the terms and conditions of this permit.

S2. APPLICATION FOR COVERAGE

A. Permit Application Requirements

Who Must Apply for Coverage: All fresh fruit packing facilities shall apply for and obtain coverage under either this general permit or an individual permit according to the Waste Discharge General Permit Program, Chapter 173-226 WAC.

How to Apply for Coverage: All fresh fruit packing facilities shall apply for coverage by submitting to the Department of Ecology (Department) a completed and signed *Application for Coverage* which is specifically prescribed by the Department for this general permit, and was developed in accordance with the requirements of WAC 173-226-200 (3).

Any **existing facility** previously under this permit and for which no significant process change has occurred or is planned, shall submit to the Department only the *Application for Coverage* under this general permit.

Any **new facility** shall submit to the Department all of the following:

- An *Application for Coverage* under this general permit;
- An engineering report completed in accordance with Chapter 173-240 WAC, if a major wastewater treatment system is to be constructed;
- A certification, in the form of the original notarized Affidavit of Publication, that the public notice requirements of Chapter 173-226 WAC have been met;
- A certification that the applicable SEPA requirements under Chapter 197-11 WAC have been met.

When to Apply for Coverage: All *Applications for Coverage* shall be submitted within the following time limits:

For existing facilities currently under permit, re-application for coverage shall be made no later than one hundred eighty (180) days prior to the expiration date of this permit; and

For new facilities, application shall be made no later than one hundred eighty (180) days prior to the discharge of any pollutant.

Failure to Apply for Coverage: Any facility required to apply for and obtain coverage under either this general permit or an NPDES/State Waste Discharge Permit, with exception of those who discharge only domestic wastewater or discharge only to a delegated pretreatment POTW, and found not to have done so within the time limits given in Condition S2.(A) will be deemed to be in violation of the State Water Pollution Control Act and/or the federal Clean Water Act, and shall

be subject to the enforcement sanctions provided in such acts for unlawfully discharging without a permit.

B. When Permit Coverage Is Effective

Unless the Department either desires to respond in writing to any facility's *Application for Coverage* or obtains relevant written public comment, coverage under this general permit of such a facility will commence on the later of the following:

- The thirty-first (31st) day following receipt by the Department of a completed and approved *Application for Coverage*;
- The thirty-first (31st) day following the end of a thirty (30) day public comment period; or
- The effective date of the general permit.

If the Department desires to respond in writing to any facility's *Application for Coverage* or obtains relevant written public comment, coverage under this general permit of such a facility will not commence until the Department is satisfied with the results obtained from written correspondence with the individual facility and/or the public commenter.

C. Modification Of Permit Coverage

Prior to the implementation of any operational or management change which would result in a change in permit status, or the commencement of a new discharge, or a change in the volume or characteristics of any existing discharge(s), a “Change Notification Form”, which has been developed by the Department for the general permit, shall be submitted to the Department. Such changes include, but are not limited to; ceasing operations, sale or lease of facilities, ownership or management changes, facility name changes, permit cancellations, permit transfers, facility expansions, addition or elimination of wastewater sources, addition or elimination of Treatment/Disposal methods used, and changes in chemicals and biological controls used.

Submission of the “Change Notification Form” will initiate the permit coverage modification process, which, depending upon the scope of the change, may include satisfying SEPA requirements, submission of a new application and engineering report, and public notice procedures.

The use of Treatment / Disposal Methods (TDMs), chemicals, biological controls, or the discharge of wastewater from sources or processes which have not been specified in the original application or approved through the modification of coverage process is a violation of this permit.

S3. SELECTION OF TREATMENT/DISPOSAL METHODS (TDMS)

The permittee shall select one or more of the following six approved TDMs for the treatment and disposal of all wastewater discharged from that facility. The permittee shall select only from these six approved TDMs based upon the definitions below and the criteria specified in Table 3.

1. **Lined evaporative lagoons** - An imperviously lined, engineered structure which relies entirely upon evaporation for water removal. This may be a lined evaporative lagoon or a pre-manufactured, above-ground fiberglass or metal tank. The lagoon liner must be a geomembrane liner which meets or exceeds the performance specifications of a 30 mil HDPE geomembrane liner for lagoons constructed before July 1, 2004 or 40 mil HDPE for lagoons constructed after that date. For the purposes of this permit, clay liners are not acceptable.

2. **Dust abatement** - Dust Abatement is the even application of wastewater to unpaved bin storage lots and unpaved roads for the purpose of dust suppression. This TDM is intended primarily for the discharge of drencher wastewater and pear float tank wastewater. Float tank and rinse water may also be discharged to the dust abatement TDM with certain application rate restrictions.

3. **Publicly Owned Treatment Works (POTW)** - A POTW is a municipal or regional wastewater treatment plant.

4. **Land application** - Land application uses an engineered system for evenly applying wastewater to a vegetated land surface. The applied wastewater is treated by the chemical, biological, and physical processes as it flows through the plant-soil matrix. The system consists of the land application site, a distribution system such as sprinklers for evenly distributing the wastewater, and a lined lagoon (or other Department approved, self-contained storage system) for storing wastewater during periods when it cannot be land applied.

5. **Percolation Systems** - A Percolation System is an engineered system for the aerobic treatment of wastewater as it percolates through the soil matrix. The system is designed to account for hydraulic and nutrient loading rates, wet and dry cycles, uniform wastewater distribution, and other relevant design parameters.

6. **Surface water** - Discharge to a surface water of the State of Washington which includes lakes, rivers, ponds, streams, inland waters, irrigation canals and return drains, saltwaters, wetlands, stormwater or other collection systems which discharge to a surface water, and all other surface waters and watercourses within the jurisdiction of the State.

TABLE 3. SELECTION OF TREATMENT / DISPOSAL METHODS (TDMs)

WASTE-WATER SOURCE	CHEMICALS USED		1 LINED LAGOON	2 DUST ABATEMENT	3 POTW	4 LAND APPLICATION	5 PERCOLATION SYSTEM	6 SURFACE WATER
DRENCHER OR DIP TANK	CONTAINING ANY ADDITIVE INCLUDING: DPA, TBZ, ETHOXYQUIN, CALCIUM CHLORIDE, CAPTAN, DICLORAN, SOPP		YES	YES		YES		
APPLE OR STONE FRUIT	NO CHEMICALS OR ONLY CHLORINE BASED FUNGICIDES		YES	YES	YES	YES	YES	YES
	WASHING / WAXING PRODUCTS ONLY OR WITH CHLORINE BASED FUNGICIDES		YES	YES	YES	YES	YES	CONDITIONAL [1]
FLOAT, FLUME OR RINSE	NON-CHLORINE BASED FUNGICIDES (TBZ), EXCLUDING CAPTAN AND/OR DICHLORAN		YES	YES	YES	YES	YES	
	CAPTAN AND / OR DICLORAN		YES	YES		YES		
PEAR PACKING	LIGNOSULFONATE W/WO SOPP	FLOAT		YES				
		RINSE	YES	YES	YES [2]	YES		
	SODIUM SILICATE [3] W/WO CHLORINE OR SOPP	FLOAT	YES	YES		YES		
		RINSE	YES	YES		YES		
	SODIUM SULFATE [4] WITH CHLORINE	FLOAT	YES	YES		YES		
		RINSE	YES	YES	YES	YES	YES	
	SODIUM SULFATE [4] WITH SOPP	FLOAT	YES	YES		YES		
		RINSE	YES	YES	YES	YES	YES	
	FLOATLESS DUMPER WITH SOPP	FLOAT	YES	YES		YES		
		RINSE	YES	YES	YES	YES	YES	
	FLOATLESS DUMPER WITH ONLY CHLORINE OR NO FUNGICIDES	FLOAT	YES	YES	YES	YES	YES	YES
		RINSE	YES	YES	YES	YES	YES	YES
NCCW	NO PRIORITY POLLUTANTS, DANGEROUS WASTES, OR TOXICS IN TOXIC AMOUNTS		YES	YES	YES [5]	YES	YES	YES
	WITH PRIORITY POLLUTANTS, DANGEROUS WASTES, OR TOXICS IN TOXIC AMOUNTS		YES					

1. Wastewater containing soap and/or wax must receive at least secondary treatment prior to discharge to surface water.

2. Wastewater containing lignosulfonate cannot be discharged to POTWs with UV disinfection

3. pH adjustment may be needed before discharge

4. Pretreatment may be needed to meet sulfate limits

5. Discharge of NCCW to a POTW is allowed only under extraordinary circumstances and requires, in addition to coverage under this permit, the written approval of both the Department and the POTW

S4. WHEN TDMS MUST BE OPERATIONAL

Any existing facility currently under permit shall properly operate and maintain one or more of the Department-approved alternative TDM(s) for all of the Permittee's regulated wastewater discharges.

Any new facility, prior to discharging or potentially discharging any wastewater, shall properly install, operate and maintain one or more Department-approved alternative TDMs for all of the Permittee's regulated wastewater discharges.

S5. EFFLUENT LIMITS, MONITORING, & BEST MANAGEMENT PRACTICES (BMPS)

Beginning on the date of issuance of this permit, the permittee is authorized to utilize and discharge only in accordance with the requirements pertaining to each appropriate TDM as specified in this Section S5. Any pollutant/parameter not listed in this Section S5 or specified in Table 3. for a Department-approved TDM of this general permit, shall be prohibited from discharge, with the exception of the use of ozone for disinfection. Compliance with the permit conditions contained in this Section S5. shall not relieve the Permittee from responsibility to comply with any other limitation, term, or condition described elsewhere in this general permit or any state or federal laws or regulations. There shall be no allowance for background levels of contaminants already in the supply water.

A. Lined Evaporative Lagoons

1. Definition of Lined Evaporative Lagoons

An imperviously lined, engineered structure which relies entirely upon evaporation for water removal. This may be a lined evaporative lagoon or a pre-manufactured, above-ground fiberglass or metal tank. The lagoon liner must be a geomembrane liner which meets or exceeds the performance specifications of a 30 mil HDPE geomembrane liner for lagoons constructed before July 1, 2004 or 40 mil HDPE for lagoons constructed after that date. For the purposes of this permit, clay liners are not acceptable.

2. Effluent Limits and Monitoring

Table 4. Effluent Limits and Monitoring for Lined Evaporative Lagoon

PARAMETER	MINIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Freeboard	2 feet	Quarterly	Measurement

3. Best Management Practices and Other Requirements for Lined Evaporative Lagoons

Pollutant/parameters are limited by full compliance with the following required BMPs. No chemical testing shall be required for such discharges to lined evaporative lagoons.

a. All Impoundments shall be located, designed, and managed to control odors and insects.

b. Do not commingle drencher discharges with any other process waste streams which contain chlorine.

c. Maintain a minimum of two (2) feet of freeboard at all times.

d. Make regular inspections of the lagoon at a frequency sufficient to monitor proper operation, but in no case less than weekly during periods of discharge to the lagoon. Maintain records of any abnormalities along with a description of any actions taken to correct the problem. Examples of such abnormalities include, but are not limited to: high liquid levels, rapid changes in liquid levels, holes, washouts, liner deterioration, berm wall deterioration, overflows, etc. Take immediate corrective actions and report to the Department within 48 hours of the discovery of any such significant abnormality

e. The lagoon shall be completely emptied and the liner subsequently examined for substantial deterioration at least every 5 years. If substantial deterioration is found, the liner shall be replaced or warrantably repaired. Results of the inspection shall be reported in the “Application for Renewal of Coverage”.

f. The Permittee shall ensure that any sludge or solid wastes produced during any sedimentation process be treated and disposed of in accordance with the terms of the Solid Waste Management Plan in the Permittee's Environmental Compliance Plan. The treatment and disposal shall be in compliance with all State and County Health Department regulations;

g. The Permittee shall provide that the design and construction of any impoundment be managed by a State licensed engineer, unless this requirement is waived by Ecology in accordance with WAC 173-240;

h. The Permittee shall obtain a dam safety permit if the above-ground storage capacity exceeds ten (10) acre-feet;

i. The lagoon shall meet the following:

1. Be constructed of a geo-membrane material which is specifically engineered to withstand internal and external pressure gradients, physical contact with wastes, climatic conditions, and stresses of installation and daily operation. The lagoon liner must be a geomembrane liner which meets or exceeds the performance specifications of a 30 mil HDPE geomembrane liner for lagoons constructed before July 1, 2004 or 40 mil HDPE for lagoons constructed after that date.

2. Have a continuous liner covering the entire inner bottom and sides of the structure that are likely to be in contact with wastewater;

3. Be placed on a base of sand or similar material thick enough to prevent failure due to settlement, compression, stretching, or uplift;

4. Prevent the movement of wastewater chemicals through its structure to waters of the State, or to contact any adjacent ground or soil;

5. Have a life expectancy which must extend at a minimum, through the entire time of this general permit;

6. Table 5. Maintain the following minimum setbacks (feet):

	Surface waters of the State, irrigation supply / drainage ditches, wetlands	Potable water wells
Lined lagoons with DPA	250	250
Lined lagoons without DPA	50	100

7. Be surrounded by a minimum six (6) foot high fence with a locked gate;

4. Alternatives To Geomembrane Lined Lagoon

The Permittee may alternatively use an above ground warrantable pre-manufactured fiberglass, fiberglass-lined, or metal tank in lieu of the geomembrane lined evaporative lagoon. In this case, the permittee shall be required to comply fully with all the above-listed BMPs and prohibitions, except for S5.A.3.i.1, 2 and 3.

B. Dust Abatement

1. Description of Dust Abatement TDM

Dust Abatement is the application of wastewater to unpaved bin storage lots and unpaved roads for the purpose of dust suppression. This TDM is intended primarily for the discharge of drencher wastewater and pear float tank wastewater containing lignosulfonate, sodium sulfate, or sodium silicate. Wastewaters containing sodium sulfate may require desulfonation prior to discharge to meet the total sulfate effluent limit. Wastewaters containing sodium silicate may require neutralization prior to or immediately after discharge to meet the pH effluent limit. Float tank and rinse water may also be discharged to the dust abatement TDM with application rate restrictions as noted in Table 6.

Table 6. Application Rates, Frequencies, and Allowed Sites for Dust Abatement

WASTESTREAM DESCRIPTION		MAXIMUM APPLICATION RATE	MAXIMUM APPLICATION FREQUENCY [1]	ALLOWED SITES
Any permitted wastestream except drencher & pear float wastewater		1800 gallons/acre/day	180 times/year every day	only unpaved bin lots or unpaved roads
Any Drencher Wastewater	Not containing calcium chloride	1800 gallons/acre/day	30 applications/year every other day	
	Containing calcium chloride	1800 gallons/acre/yr	one (1) application/year	
Pear Float Tank Wastewater	SOPP or other fungicide concentration (mg/L)			
	0 to 1000	4840 gal/acre/day	once per week	
	1001 to 2000	2420 gal/acre/day	once per week	
	2001 to 3000	1613 gal/acre/day	once per week	
	3001 to 4000	1210 gal/acre/day	once per week	
	4001 to 5000	968 gal/acre/day	once per week	
	5001 to 6000	807 gal/acre/day	once per week	
	greater than 6000	Discharge Not Allowed		

[1] Application rates are valid only if chemical additives concentrations are in compliance with the maximum use rates specified in Table 8. Discharge of wastewater containing concentrations greater than those specified in Table 8 is not allowed.

2. Effluent Limits and Monitoring

Table 7. Effluent Limits & Monitoring for All Wastewater Discharges to Dust Abatement

POLLUTANT / PARAMETER (UNITS)	DAILY MAXIMUM LIMIT			SAMPLE FREQUENCY	SAMPLE TYPE
	DRENCHER WATER ONLY [1]	NCCW ONLY	ALL OTHER WASTE-WATER		
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT THOSE MARKED NR (NOT REQUIRED)					
Flow (gallons/day)	record value	record value	record value	1/discharge event	Measure-ment
pH (standard units)	NR	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
Total Chloride (mg/L)	NR	NR	250	Quarterly	Composite
TDS (mg/L)	NR	record value	NR	Quarterly	Composite
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT: 1) those marked NR (Not Required), or 2) if that chemical is not used at the facility					
Total Residual Chlorine (mg/L) [2]	10.0	10.0	10.0	Quarterly	Grab
Total Sulfate (mg/L)	NR	NR	250	Quarterly	Composite
Captan® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Dichloran® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Ethoxyquin	2700	NR	NR	Annual	Composite
TBZ (mg/L)	615	NR	NR	Annual	Composite
SOPP (mg/L)	NR	NR	See Table 6	Quarterly	Composite

[1] Effluent limits and monitoring are valid only if all chemical additive concentrations and application rates are in compliance with those specified in Tables 6 and 8.

[2] Required test only if chlorine or any chlorine-based chemical is used (i.e. ,sodium hypochlorite, chlorine dioxide, chlorine gas)

Table 8. Chemical Additive Maximum Use Rates

CHEMICAL USE	CHEMICAL ADDITIVE	MAXIMUM USE RATE
Pear float enhancers	Lignosulfonate	120,000 mg/L or 12% solids
	Sodium sulfate	30,000 mg/L or 3% solids
	Sodium silicate	30,000 mg/L or 3% solids
Drencher additives	DPA	2200 mg/L
	TBZ	615 mg/L
	Ethoxyquin	2700 mg/L
	Calcium chloride	2200 mg/L

Table 9. Required Soil & Groundwater Monitoring for Discharges With Lignosulfonate

Application Frequency	Additional Required Monitoring	Testing Frequency
once every 30 or more days	None	N/A
once every 14 to 29 days	Test subsoil with dipyridyl for the presence of Fe^{+2} ions at 12-inch depth within the lowest part of the application site where ponding may occur.	Quarterly
once every 7 to 13 days	Install a down gradient monitoring well to test groundwater for BOD_5 and, with Dipyridyl, for the presence of Fe^{+2} ions.	Monthly

- Maximum use rate of lignosulfonate is 12% solids or 120,000 mg/L
- Maximum application rate is 4840 gal/acre
- Maximum application frequency is no more than once every 7 days

3. Best Management Practices and Other Requirements for Dust Abatement

a. Do not commingle or apply to the same site any waste streams containing:

1. DPA;
2. Lignosulfonate;
3. Chlorine or chlorine-containing compounds;

b. Maintain accurate and ongoing records to verify that chemical additives are being used at or below the use rate concentrations specified in Table 7 and to ensure that the application of wastewater to each site is in compliance with the required application rates, BMPs, and other permit conditions. The following information shall be kept for all original and make-up batches:

1. Batch ID Number;
2. Date batch was mixed;
3. Person responsible for mix;
4. Total batch volume (gallons);
5. Name and amount of all chemicals added to batch;
6. Date spent solution was discharged;
7. Application Site Identification (used to track application to prevent over application or improper mixing of wastewater)
8. Volume of spent solution discharged (gallons)
9. Application area (acres)
10. Application rate (gallons/acre)
11. Inspection results and comments regarding any abnormal conditions such as ponding, runoff, overland flow, etc. (see Section 4. Inspections).

c. Do not commingle process waste streams with sanitary (domestic) sewage;

d. Do not discharge in excess of those specific numerical limits and application rates given in Tables 6, 7, 8 and 9;

e. Do not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts;

f. Make no allowance for background levels of contaminants already in the supply water;

g. Do not apply at a rate which results in ponding or runoff;

h. Do not apply to sites where the groundwater table is located within five (5) feet of the soil surface at time of application;

i. Do not apply to sites which are frozen, snow-covered, saturated, flooded, or when anaerobic conditions exist;

j. Provide sufficient self-contained storage capacity for all wastewaters during any time period when application cannot be properly achieved (i.e., when application site is saturated, flooded, or frozen). This self-contained storage shall meet the requirements in the Lined Evaporative Lagoon TDM;

k. Treat and dispose of any sludge or solid wastes produced during any sedimentation process in accordance with the terms of the Solid Waste Management Plan in the Permittee's Environmental Compliance Plan and in compliance with all State and County Health Department regulations;

l. Do not apply to sites within wellhead protection boundaries.

m. Utilize an application system which provides even distribution of the wastewater over the application area at the specified application rates and frequencies.

n. Table 10. Maintain the following Minimum Setback Distances (Feet):

	Surface Waters of the State [1]	Potable water supply well
Lined sedimentation or storage lagoons containing DPA	250	250
Lined sedimentation or storage lagoons without DPA	50	100
Dust abatement application sites	50	100

[1] Includes lakes, rivers, streams, irrigation supply ditches, drainage ditches, wetlands

4. Inspections

Inspections shall be made and recorded of the application site immediately after each application. Any abnormalities along with a description of any actions taken to correct any problems shall be recorded. Examples of such abnormalities include, but are not limited to ponding, runoff or overland flow. Discovery of any significant abnormality shall be cause for taking immediate corrective action and shall also be reported to the Department within 48 hours of discovery.

5. Road Management Plan (RMP)

a. Prior to any discharge and for each separate dust abatement application site, an RMP shall be developed and retained on-site. The following waste streams must have separate application sites and RMPs:

1. Wastewater containing lignosulfonate;
2. Wastewater containing DPA; or
3. Wastewater with chlorine or chlorine-containing compounds.

b. Each RMP shall, at a minimum, include:

1. A copy of proof of ownership of the application site, or a legally binding written agreement with the legal owner to use the site for wastewater treatment and disposal;

2. An application site description including, at a minimum:

- The location of the application site;
- A map indicating the site boundaries;
- A brief description of the geology and topography of the site and its immediately surrounding areas indicating its suitability as an application site;
- The surface material and composition of the site, i.e. dirt road or gravel bin lot; and
- The total surface area of the application site.

3. An operational plan including, at a minimum:

- The proposed total maximum daily and annual application rates expressed as gallons/acre/day and gallons/acre/year;
- The maximum use concentration of the active ingredient(s) (DPA; Ethoxyquin, calcium chloride, lignosulfonate, etc.) in the wastewaters to be applied; and
- The proposed application schedule and operational methodology to be followed throughout the duration of this general permit.

C. POTW (Publicly Owned Treatment Works)

1. Definition

A POTW is a municipal or regional wastewater treatment plant.

2. Effluent Limits and Monitoring

Table 11. Effluent Limits and Monitoring for All Discharges to POTWs

POLLUTANT / PARAMETER	DAILY MAXIMUM LIMIT		SAMPLE FREQUENCY	SAMPLE TYPE
	ALL WASTEWATER EXCEPT NCCW	NCCW ONLY [1]		
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT THOSE MARKED NR (NOT REQUIRED)				
FLOW	record value	record value	1/discharge event	Measurement
BOD_5	500 mg/L	NR	Quarterly	Composite
pH	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
TOTAL CHLORIDE	250 mg/L	NR	Quarterly	Composite
TOTAL SULFATE	250 mg/L	NR	Quarterly	Composite
TOTAL SUSPENDED SOLIDS (TSS)	500 mg/L	NR	Quarterly	Composite
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT: **1) those marked NR (Not Required), or 2) if that chemical is not used at the facility**				
TOTAL RESIDUAL CHLORINE [2]	0.5 mg/L	0.5 mg/L	Quarterly	Grab
ETHOXYQUIN®	50 mg/L	NR	Quarterly	Composite
SOPP	50 mg/L	NR	Quarterly	Composite
THIABENDAZOLE (TBZ/MERTECT®)	50 mg/L	NR	Quarterly	Composite

[1] Discharge of NCCW to a POTW is allowed only under extraordinary circumstances and requires the approval of both the Department and the POTW.

[2] Required test only if chlorine or any chlorine-based chemical is used (i.e. sodium hypochlorite, chlorine dioxide, chlorine gas, etc.)

3. Compliance With More Stringent Conditions Imposed by a POTW

The allowed discharges, effluent limits, monitoring, and best management practices contained in this permit may be modified by any stricter conditions imposed by a POTW. Compliance with the terms of this permit does not relieve the permittee from the responsibility to comply with any local limits, contracts or agreements with the POTW or for responsibility for any contamination, pass-through, interference or upset of a POTW related to the discharge of any facility wastewater.

The discharge of significant amounts of NCCW to a POTW is prohibited except under extraordinary circumstances, such as a lack of an alternative TDM. The discharge of NCCW to a POTW must be approved by the Department and the POTW.

4. Written Certification Required for Discharges to a POTW

a. The permittee shall obtain written certification from the receiving POTW (and contributory collection system if applicable) accepting the facility's wastewater. The certification form is contained in the *Application for Coverage*;

5. Best Management Practices for Discharges to a POTW

a. The permittee shall comply fully with all applicable pretreatment standards including, but not limited to the following:

1. General Pretreatment Regulations 40 CFR Part 403;
2. Any stricter local municipal sewer use ordinance; and
3. Any stricter local health district regulations.

b. The permittee shall not discharge in excess of those specific numerical limits given in Table 11.

c. The permittee shall not discharge priority pollutants, dangerous wastes, or any other wastewater which is prohibited, toxic, or otherwise detrimental to sewage treatment facilities or processes.

D. Land Application

1. Description of TDM

Land application uses an engineered system for applying wastewater to a vegetated land surface. The applied wastewater is treated by the chemical, biological, and physical processes as it flows through the plant-soil matrix. The system generally consists of an application site, a distribution system (i.e., sprinklers) for evenly distributing the wastewater, and lined storage for holding wastewater during periods when it cannot be land applied.

2. Application Rates, Frequencies, and Allowed Sites

Table 12. Application Rates, Frequencies, and Allowed Sites [1]

WASTESTREAM DESCRIPTION		MAXIMUM APPLICATION		ALLOWED SITES
		RATE	FREQUENCY	
Any **drencher** wastewater	Not containing calcium chloride	1800 gal/acre/day	30 applications per year	Un-irrigated non-crop land
	Containing calcium chloride	1800 gal/acre/year	1 application per year	
Pear float tank water (excluding that with lignosulfonate)[2] with an SOPP (or other fungicide) concentration, in mg/L, of:	0 to 1000	4840 gal/ac/day	once per week	Un-irrigated non-crop land
	1001 to 2000	2420 gal/ac/day	once per week	
	2001 to 3000	1613 gal/ac/day	once per week	
	3001 to 4000	1210 gal/ac/day	once per week	
	4001 to 5000	968 gal/ac/day	once per week	
	5001 to 6000	807 gal/ac/day	once per week	
	greater than 6000	Discharge Not Allowed		
Any other permitted wastestream with BOD_5 or TSS levels, in mg/L, of:	0 to 200	6000 gal/acre/day	every other day	any suitable land application site
	201 to 400	3000 gal/acre/day	every other day	
	401 to 600	2000 gal/acre/day	every other day	
	greater than 600	Discharge Not Allowed		

[1] Application rates are valid only if chemical additives concentrations are in compliance with the maximum use rates specified in Table 14. Discharge of wastewater containing concentrations greater than those specified in Table 14. is not allowed.

[2] The only float tank water specific gravity enhancers allowed in wastewater discharged to land application are sodium sulfate and sodium silicate.

Table 13. Effluent Limits & Monitoring for All Discharges to Land Application

POLLUTANT / PARAMETER (units)	DAILY MAXIMUM LIMIT			SAMPLE FREQUENCY	SAMPLE TYPE
	DRENCHER WATER ONLY [1]	NCCW ONLY	ALL OTHER WASTE-WATER		
ANALYSIS IS REQUIRED FOR ALL THE FOLLOWING PARAMETERS EXCEPT THOSE MARKED NR					
Flow (gallons / day)	record value	record value	record value	1/discharge event	Measure-ment
BOD_5 (mg/L)	NR	NR	see table 10	Quarterly	Composite
pH (standard units)	NR	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
Total chloride (mg/L)	NR	NR	250	Quarterly	Composite
Total sulfate (mg/L)	NR	NR	250	Quarterly	Composite
TDS (mg/L)	NR	record value	500	Quarterly	Composite
TSS (mg/L)	NR	NR	see table 12	Quarterly	Composite
ANALYSIS IS REQUIRED FOR THE FOLLOWING PARAMETERS EXCEPT: 1) those marked NR, or 2) if that chemical is not used at the facility					
Total Residual Chlorine (mg/L) [2]	10.0	10.0	10.0	Quarterly	Grab
Captan® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Dichloran® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Ethoxyquin (mg/L)	2700	NR	NR	Annual	Composite
TBZ (mg/L)	615	NR	500	Annual	Composite
SOPP (mg/L)	NR	NR	see table 12	Quarterly	Composite

[1] Effluent limits and monitoring valid only if all chemical additive concentrations and application rates are in compliance with those specified in Tables 12 and 14.

[2] Required test only if chlorine or any chlorine-based chemical is used (i.e., sodium hypochlorite, chlorine dioxide, chlorine gas)

Table 14. Chemical Additive Maximum Use Rates

CHEMICAL USE	CHEMICAL ADDITIVE	MAXIMUM USE RATE
Pear float enhancers	Sodium sulfate	30,000 mg/L or 3% solids
	Sodium silicate	30,000 mg/L or 3% solids
Drencher additives	DPA	2200 mg/L
	TBZ	615 mg/L
	Ethoxyquin	2700 mg/L
	Calcium chloride	2200 mg/L

3. Best Management Practices and Other Requirements for Land Application

The permittee shall:

a. Not commingle or apply to the same site any waste streams containing:

1. DPA;
2. Lignosulfonate;
3. Chlorine or chlorine-containing compounds;

b. For batch applications, maintain accurate and ongoing records to verify that chemical additives are being used at or below the use rate concentrations specified in Table 14 and to ensure that the application of wastewater to each site is in compliance with the required application rates, BMPs, and other permit conditions. The following information shall be kept for all original and make-up batches:

1. Batch ID Number;
2. Date batch was mixed;
3. Person responsible for mix;
4. Total batch volume (gallons);
5. Name and amount of all chemicals added to batch;
6. Date spent solution was discharged;
7. Disposal Site Identification (used to track application to prevent over application or improper mixing of wastewater)
8. Volume of spent solution discharged (gallons)
9. Disposal area (acres)
10. Application rate (gallons/acre)
11. Inspection results and comments regarding any abnormal conditions such as ponding, runoff, overland flow, etc. (see Section 5. Inspections).

c. Not commingle process waste streams with sanitary (domestic) sewage;

d. Not discharge in excess of those specific numerical limits and application rates given in Tables 12,13, and 14;

e. Not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts;

f. Make no allowance for background levels of contaminants already in the supply water;

g. Not apply at a rate which results in ponding or runoff;

h. Not apply wastewater at rates with will exceed the published agronomic rates for the crop being applied to.

i. If needed, properly install, operate and maintain a lined sedimentation pond or other Department approved treatment, designed to pretreat the wastewater to prevent violation of the TSS effluent limit and prevent plugging of the wastewater distribution system;

j. Not apply to sites where the groundwater table is located within ten (10) feet of the soil surface at time of application;

k. Not apply to sites which are frozen, snow-covered, saturated, flooded, or when anaerobic conditions exist;

l. Provide sufficient self-contained storage capacity for all wastewaters during any time period when application cannot be properly achieved (i.e., when application site is saturated, flooded, or frozen). This self-contained storage shall meet the requirements in the Lined Evaporative Lagoon TDM;

m. Treat and dispose of any sludge or solid wastes produced during any sedimentation process in accordance with the terms of the Solid Waste Management Plan in the Permittee's Environmental Compliance Plan and in compliance with all State and County Health Department regulations;

n. Not apply to sites within wellhead protection boundaries.

o. Utilize an application system which provides even distribution of the wastewater over the application area at the specified application rates and frequencies.

p. Table 15. Maintain the following Minimum Setback Distances (Feet):

	Surface Waters of the State [1]	Potable water supply well
Lined sedimentation or storage lagoons containing DPA	250	250
Lined sedimentation or storage lagoons without DPA	50	100
Land application sites	50	100

[1] Includes lakes, rivers, streams, irrigation supply ditches, drainage ditches, wetlands.

q. Maintain onsite a copy of some proof of ownership of the application site, or otherwise, a written agreement with the legal owner to use the site throughout the duration of this permit for wastewater treatment/disposal;

r. Prohibit livestock from grazing on the application site.

4. Inspections

The permittee shall Inspect and record observations of the application site immediately after each application. Any abnormalities along with a description of any actions taken to correct the problems shall be recorded. Examples of such abnormalities include, but are not limited to: abnormal crop growth or quality, ponding, runoff, or overland flow. Discovery of any significant abnormality shall be cause for taking immediate corrective actions and shall also be reported to the Department within 48 hours of discovery.

E. Percolation Systems

1. Definition

A Percolation System is an engineered system for the aerobic treatment of wastewater as it percolates through the soil matrix. The system is designed to account for hydraulic and nutrient loading rates, wet and dry cycles, uniform wastewater distribution, and other relevant design parameters.

2. Effluent Limits and Monitoring

Table 16. Effluent Limits and Monitoring for All Discharges to Percolation Systems

POLLUTANT / PARAMETER	DAILY MAXIMUM LIMIT		SAMPLE FREQUENCY	SAMPLE TYPE
	ALL WASTEWATER EXCEPT NCCW	NCCW ONLY		
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT THOSE MARKED NR (NOT REQUIRED)				
FLOW	record value	record value	1/discharge event	Measurement
BOD_5	100 mg/L	NR	Quarterly	Composite
pH	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
TOTAL CHLORIDE	250 mg/L	NR	Quarterly	Composite
TOTAL SULFATE	250 mg/L	NR	Quarterly	Composite
TOTAL DISSOLVED SOLIDS (TDS)	500 mg/L	record value	Quarterly	Composite
TOTAL SUSPENDED SOLIDS (TSS)	100 mg/L	NR	Quarterly	Composite
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT: 1) those marked NR (Not Required), or 2) if that chemical is not used at the facility				
TOTAL RESIDUAL CHLORINE [1]	5.0 mg/L	5.0 mg/L	Quarterly	Grab
ETHOXYQUIN®	5.0 mg/L	NR	Quarterly	Composite
SOPP	6.0 mg/L	NR	Quarterly	Composite
THIABENDAZOLE (TBZ/MERTECT®)	10.0 mg/L	NR	Quarterly	Composite

[1] Required test only if chlorine or any chlorine-based chemical is used (i.e. sodium hypochlorite, chlorine dioxide, chlorine gas, etc.)

3. Best Management Practices and Other Requirements for Discharges to Percolation Systems

The permittee shall:

a. Properly install, operate and maintain groundwater monitoring wells and apply for an individual permit if any groundwater contamination is detected or suspected by the Department;

b. If needed, properly install, operate and maintain a lined sedimentation pond or other Department-approved treatment, designed to pretreat the wastewater to prevent violation of the TSS effluent limit and prevent plugging of the percolation system;

c. Ensure that any sludge or solid wastes produced during any sedimentation process be treated and disposed of in accordance with the terms of the Solid Waste Management Method in the Permittee's Environmental Compliance Plan, and the treatment and disposal shall be in compliance with all State and County Health Department regulations;

d. Not discharge in excess of those specific numerical limits given in Table 16;

e. Not discharge priority pollutants, dangerous waste, or toxics in toxic amounts;

f. Table 17. Maintain the following Minimum Setback Distances (Feet):

IMPOUNDMENT TYPE	Surface waters of the State, Irrigation supply ditches, Drainage ditches, Wetlands	Potable water supply well[1]
Lined ponds	50	100
Percolation systems	50	100

g. Not discharge to sites where groundwater table is located within ten (10) feet from the soil surface.

h. Not apply to sites within wellhead protection boundaries;

i. Utilize an application system which provides even distribution of the wastewater over the application area at the specified application rates and frequencies.

j. Not have any allowance for background levels of contaminants already in the supply water.

4. Inspections

The permittee shall Inspect and record observations of percolation systems at a frequency to ensure proper operation, but at a minimum, daily when discharging to the system. Any abnormalities along with a description of any actions taken to correct the problems shall be recorded. Examples of such abnormalities include, but are not limited to: overflows, soil or water quality deterioration, odors, runoff and overland flow. Discovery of any significant abnormality shall be cause for taking immediate corrective action and shall also be reported to the Department within 48 hours of discovery.

F. Surface Waters

1. Definition

The surface water TDM is discharge to a surface water of the State, which includes lakes, rivers, ponds, streams, inland waters, irrigation canals and return drains, saltwaters, wetlands, stormwater or other collection systems which discharge to a surface water, and all other surface waters and watercourses within the jurisdiction of the State of Washington.

Table 17. Effluent Limits and Monitoring for All Discharges to Surface Waters

POLLUTANT / PARAMETER	DAILY MAXIMUM	SAMPLE FREQUENCY		SAMPLE TYPE
		ALL WASTEWATER EXCEPT NCCW	NCCW Only	
ANALYSIS IS REQUIRED FOR ALL OF THE FOLLOWING PARAMETERS EXCEPT THOSE MARKED NR (NOT REQUIRED)				
Flow	record value	1/discharge event	1/discharge event	Measure-ment
BOD_5	30.0 mg/L	Monthly	Quarterly	Composite
pH	6 – 9	Monthly	Quarterly	Grab
Temperature	record value	Monthly	Quarterly	Grab
Total chloride	230.0 mg/L	Monthly	Quarterly	Composite
Total suspended solids (TSS)	30.0 mg/L	Monthly	Quarterly	Composite
ANALYSIS IS REQUIRED ONLY IF CHLORINE OR CHLORINE-BASED CHEMICALS ARE USED				
Total Residual Chlorine Permit limit	0.019 mg/L	Monthly	Quarterly	Grab
Total Residual Chlorine Enforcement (QL) limit [1]	0.050 mg/L			

[1] The established QL (Quantitation Level) shall serve as the enforceable limit for this parameter when using the required DPD/colorimeter test method, 40 CFR Part 136. A measured value between 0.019 and 0.05 mg/L may not be a violation due to the uncertainty of the accuracy of test results at this low concentration. Results less that 0.05 mg/L shall be reported as “less than 0.05 mg/L.

2. Allowed Discharges to Surface Water

The discharge of fruit packing wastewaters directly to surface waters of the State is only authorized for the following wastestreams:

1. Wastewater containing no chemical additives at all, or only chlorine-based disinfectants (i.e., chlorine gas, chlorine dioxide, sodium hypochlorite);
2. Secondary treated wastewater containing Linear Alkyl Sulfonate (LAS) based soaps, acidic or basic washes, food grade waxes, or chlorine-based disinfectants; or
3. NCCW system wastewater containing no priority pollutants, dangerous wastes, or toxics in toxic amounts.

3. Best Management Practices and Other Requirements for Discharges to Surface Waters

The permittee shall:

a. Comply with all of the State water quality standards for surface waters, Chapter 173-201A WAC;

b. Properly install, operate and maintain a sedimentation pond constructed to provide, at a minimum, one (1) full hour of detention time for sedimentation of process wastewaters except NCCW-only waste streams, or another Department-approved treatment. This self-contained storage shall meet the requirements in the Lined Evaporative Lagoon TDM;

c. Ensure that any sludge or solid wastes produced during any sedimentation process be treated and disposed of in accordance with the terms of the Solid Waste Management Method in the Permittee's Environmental Compliance Plan, and the treatment and disposal shall be in compliance with all State and County Health Department regulations;

d. Record and submit monthly, any process water monitoring data on an applicable Discharge Monitoring Report (DMR) form;

e. Monitor quarterly and submit on the applicable Yearly Facility Report all NCCW-only discharges;

f. Not discharge in excess of those specific numerical limits in Table 17;

g. Not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts. This narrative criterion shall be verified using the Whole Effluent Toxicity (WET) testing procedure specified in section (S5.F.6).

h. Not have any allowance for background levels of contaminants already in the supply water.

4. Inspections

The permittee shall Inspect and record observations of the surface water discharge outlet when wastewater is being discharged, at a frequency to ensure proper operation, but at a minimum weekly when discharging process wastewater and quarterly when discharging NCCW only. Any abnormalities along with a description of any actions taken to correct the problems shall be recorded. Examples of such abnormalities include, but are not limited to: foaming, sediment buildup, changes in biota, odors, abnormal colors, or other evidence of water quality deterioration. Discovery of any significant abnormality shall be cause for taking immediate corrective actions and shall also be reported to the Department within 48 hours of discovery.

5. Mixing Zone

No mixing or dilution zone shall be authorized to the Permittee for any discharge to surface waters under this general permit.

6. Antidegradation of Surface Waters

The Department has determined that compliance with the terms and conditions of this general permit results in the reasonable expectation that the surface water antidegradation requirements for the state of Washington will be met. The permittee's discharge must not cause or contribute to an excursion of the State's water quality standards, including the State's narrative criteria for water quality [40 CFR 122.44(d)(1)(i)]. Discharges to surface waters will not be allowed under this general permit if either 1) the water body is designated as a Outstanding Resource Water (ORW), or 2) the effluent exceeds a water quality criterion and the receiving water is on the most current 303(d) list for that criterion. Any facility which discharges to a 303(d) listed waterbody and that discharge contains a pollutant for which that waterbody is listed, must either select an alternative TDM or participate in the TMDL process for that waterbody. The facility must meet any Waste Load Allocation (WLA) assigned by the TMDL. If the facility is unable to meet the WLA under the general permit, the facility must apply for coverage under an individual NPDES permit. Should later evidence indicate that the antidegradation requirements for surface waters are not being met, this permit may be modified to provide more stringent effluent limits, best management practices, or other permit conditions.

7. Whole Effluent Toxicity (WET) Testing for Verification of the Narrative Toxics Criterion

Each facility with a surface water discharge of NCCW containing chemical additives shall, within one year of receiving coverage under this permit, and within 3 months of any changes in chemical additives, submit to the Department results of rapid screening WET testing for both acute and chronic toxicity, as specified in Table 18.

Any facility which fails the rapid screening test and wishes to continue to discharge to surface water NCCW containing chemical additives shall select an alternate water treatment regime and repeat the WET test, or select an alternate Treatment / Disposal Method or apply for coverage under an individual NPDES permit.

If a facility with an individual permit meets the requirements of Chapter 173-205 WAC for attainment of the WET performance standard it may re-apply for coverage under the general permit.

Table 18. WET Testing Requirements

	ACUTE TOXICITY	**CHRONIC TOXICITY**
Test Method	ASTM E 1440-91, 24 hour	Snell, Terry W. 1992. A 2-d Life Cycle Test With The Rotifer *Brachionus calyciflorus*. Environmental Toxicology and Chemistry. 11:1249-1257.
Definition of "Pass"	A mortality rate of 20% or less in 100% effluent calculated by subtracting the number of test organisms living in 100% effluent at the end of the test from the number of test organisms living in the control, dividing the result by the number of test organisms living in the control and then multiplying by 100.	No chronic toxicity test demonstrating a statistically significant difference in response between the control and a test concentration equal to the acute critical effluent concentration (ACEC). Where no zone of acute criteria exceedance is allowed, as in the case with this general permit, the (ACEC) shall be one hundred percent (100%) effluent
Sample Type	Grab sample to be taken at a time when the chemical additive concentrations are at a maximum level in the discharge (i.e., immediately following a slug-load chemical addition).	
Test Species	Rotifer: *Brachionus calyciflorus*	
Test Frequency	Twice within first year of permit coverage and twice within 3 months of any change in chemical additives	

S6. REPORTING AND RECORDKEEPING REQUIREMENTS

The permittee shall monitor and report in accordance with all of the conditions specified in this permit. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring shall be quarterly and reporting shall be annually for all discharges except the discharge of process water to surface water, which shall be monitored and reported monthly. Reports shall be on the Yearly Facility Report (YFR) and Monthly Discharge Monitoring Report (DMR), which are prescribed by the Department for this general permit. YFRs shall be received by January 31st of the year following the completed monitoring period. DMRs shall be received by the 15th of the month following the completed monitoring period.

All YFRs and DMRs must be submitted, whether or not the facility was discharging. If there was no discharge during a given monitoring period, the form shall be submitted as required, with the words “no discharge” entered in place of the monitoring results.

All required submittals shall be sent to the appropriate regional office: **Washington State Department of Ecology, Central Regional Office, Attn: General Permit Manager, 15 West Yakima Avenue, Suite 200, Yakima, Washington 98902 or Washington State Department of Ecology, Eastern Regional Office, Attn: General Permit Manager, N. 4601 Monroe, Spokane, Washington 99205**.

B. Recordkeeping

The Permittee shall maintain on the facility site records of all information resulting from any activities, including monitoring activities required as a condition of the application for, or as a condition of coverage under this general permit. Such records:

- Shall be made available for immediate inspection by Department personnel.
- Shall be retained on-site for a period of, at least, five (5) years from the date of any submittal, report, plan, sample, measurement, or application. This retention period shall be extended during the course of any unresolved litigation regarding the Permittee's discharge of pollutants or when requested by the Director.
- Shall include, at a minimum, the following:

1. A copy of this permit;
2. The Application for Coverage for this permit along with any attachments or any data used to complete the application;
3. A copy of any submittal, report, plan, or application required by this general permit, including
    - Engineering reports
    - Yearly Facility Reports
    - Monthly Discharge Monitoring Reports
    - Environmental Compliance Plans
    - Road Management Plans
    - Dust Abatement Application Records (Batch Mix Records)
    - Treatment / Disposal Method Inspection Records
    - Stormwater Inspection Records
    - Maintenance/Calibration Records
4. Records of monitoring activities and laboratory reports. For each sample the following shall be included:
    - The date, exact place, and time of sampling;
    - The dates analyses were performed;
    - Who performed the analyses;
    - The analytical techniques/methods used
    - The results of such analyses.
5. Any original strip chart recordings for continuous monitoring instrumentation;
6. Any chain-of-custody documentation;
7. The contract for any hauled discharges (if needed), See Section S8;
8. Records of all hauled discharges, both wastewater and sludge, including date, time, volume, driver, destination, type of material hauled, and application area;
9. Any other additional information which the Department may determine to be necessary, on a facility-specific basis.

C. Flow Measurement

Where needed, appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements or the quantity of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with the manufacturers recommendations. Calibration records shall be maintained for at least 5 years.

D. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the final discharge to the specific TDM.

This shall include representative sampling of any intermittent discharges, unusual discharge or discharge conditions, bypasses, upsets, and maintenance-related conditions affecting effluent quality. The sample day and time(s) shall be chosen to adequately represent the characterization of the facility's discharge(s) during the peak packing season(s). Measurements of pH, temperature and total residual chlorine shall be done on grab samples immediately after collection. All other parameters shall be measured on representative composite samples.

Total residual chlorine shall be monitored using the DPD/colorimeter test method, 40 CFR Part 136. The established QL (Quantitation Level) shall serve as the enforceable limit for this parameter. A measured value between 0.019 and 0.05 mg/L may not be a violation due to the uncertainty of the accuracy of test results at low concentrations. Result less that 0.05 mg/L shall be reported as “less than 0.05 mg/L.

Ground water sampling shall conform to the latest protocols in the *Implementation Guidance for the Ground Water Quality Standards*, (Ecology 1996).

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department). Non-chlorine based fungicides shall, if no appropriate method is found in 40 CFR, be analyzed according to those methods found in the Pesticide Analytical Manual, Merck and Company, Inc., Volume II, or as amended.

All soil analysis and reporting will be in accordance with *Laboratory Procedures*, Soil Testing Laboratory, Washington State University, November 1981.

All whole effluent toxicity (WET) testing shall be done as specified in S5.F.6. or in accordance with the relevant EPA or ASTM protocols, unless approved in writing by the Department of Ecology (Department). All additional testing and reporting shall be done in accordance with most recent version of Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria.*

E. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Flow, temperature, pH, total residual chlorine, and internal process control parameters are exempt from this requirement. The laboratory must be accredited for total residual chlorine, temperature, and pH if the laboratory must otherwise be registered or accredited.

S7. ENVIRONMENTAL COMPLIANCE PLAN (ECP)

The Permittee shall develop, implement and retain on-site an **Environmental Compliance Plan (ECP)** in accordance with the following conditions:

A. The ECP shall be developed using, at a minimum, the form which has specifically been prescribed by the Department for this general permit. Plans, reports, manuals, etc. which have been previously developed, and meet the requirements of the ECP form may be substituted.

B. The update of an existing ECP deemed complete by the Department will satisfy this requirement.

C. Any new facility shall develop and implement the ECP no later than one (1) year after commencement of any wastewater discharge.

D. The Permittee shall review and update the ECP, as needed, but at a minimum, once per permit cycle at the time of any permit coverage application, to reflect any relevant changes.

E. All ECP modifications shall become immediately effective.

F. The ECP shall be retained on site and be available for inspection by Ecology personnel upon request.

G. The development of any ECP, in accordance with this general permit, does not relieve the Permittee from compliance with, nor ensure compliance with, the following: (1) the federal spill protection requirement contained in 40 CFR Part 112 of the Federal Register, and (2) federal solid waste protection requirements contained in 40 CFR Part 503 of the Federal Register.

H. Any ECP shall contain the following four (4) sections:

1. Treatment/Disposal Operations Plan

   This shall be equivalent to an Operation & Maintenance manual. It shall contain descriptions of all the TDMs used along with instructions for the operations and maintenance of these TDMs during both normal and upset conditions.

2. Solid Waste Management Plan

   This plan shall include all solid wastes with the exception of those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The plan shall include at a minimum, for all solid wastes generated, a description, source, generation rate, and disposal methods of these solid wastes. The plan must ensure that no solid waste or leachate from that solid

waste material will enter state waters without providing all known, available and reasonable methods of prevention, control and treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. This plan shall not be at variance with any approved local solid waste management plan, and must be in accordance with Minimum Functional Standards for Solid Waste Handling, chapter 173-304 WAC, and Washington State Dangerous Waste Regulations, chapter 173-303 WAC.

3. Spill Prevention Plan

The spill prevention plan shall provide for the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The Spill Prevention Plan shall include, at a minimum, the following:

a. A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.

b. A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into state waters.

c. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.

4. Stormwater Pollution Prevention Plan

The Stormwater Pollution Prevention Plan shall 1) identify and describe any existing or potential stormwater pollutant sources, 2) describe any operational, source control, erosion and sediment control, and treatment BMPs currently in operation or which will need to be implemented to prevent stormwater from causing pollution to state waters, 3) specify an implementation schedule for any needed BMPs, and 4) specify a stormwater inspection schedule.

S8. HAULED DISCHARGES

The Permittee shall be primarily responsible for assuring that any discharges hauled to off-site locations are disposed of in strict compliance with all appropriate TDMs, limits, BMPs, and any other terms or conditions of this general permit. The Permittee shall be solely responsible for assuring that any hauler is made aware of all appropriate requirements of

this general permit regarding any discharge from the permittee which the hauler will be disposing. The Permittee's responsibilities shall exist in all situations, even when the hauler/disposer is a contracted agent. A contracted agent shall be secondarily responsible for assuring that any discharges hauled to off-site locations are disposed of in strict compliance with any appropriate TDM, limit, BMP, or any other term or condition of this general permit.

When a contracted agent is used, the Permittee shall retain on-site a written contract, properly dated and signed by both parties (Permittee and contracted agent) prior to hauling any discharge. The written contract shall include, at a minimum, the following:

1. The name, address, and telephone number of the contracted agent;
2. The dates, or time period, for which the contract shall be valid;
3. The nature and volumes of the discharges to be hauled;
4. The final discharge location of any hauled discharges;
5. A statement that both parties are fully aware and agree to fully comply with their responsibilities as given above; and
6. Dates and signatures of both parties.

For each hauled discharge the following information shall be recorded, maintained on-site, and available for inspection upon request:

1. Date
2. Time
3. Volume
4. Driver
5. Destination
6. Type of material hauled
7. Application area
8. Inspection results as specified in the “Inspection” section of the appropriate TDM/

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.

B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Department, and

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2. must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. COMMENCEMENT OF COVERAGE UNDER A GENERAL PERMIT

Unless the Department responds in writing to an *Application for Coverage*, coverage of a discharger under this general permit will automatically commence on the later of the following:

A. On the effective date of this general permit;
B. On the thirty-first (31st) day following the end of the thirty (30) day comment period required by WAC 173-226-130(4);
C. On the thirty-first (31st) day following receipt by the Department of a completed *Application for Coverage* under this general permit; or
D. On the coverage date specified in this general permit.

G3. TERMINATION OF INDIVIDUAL PERMITS UPON ISSUANCE OF GENERAL PERMIT COVERAGE

Any previously issued individual permit shall remain in effect until terminated in writing by the Department, except that continuation of an expired, or expiring, individual permit (pursuant to WAC 173-220-180(5), shall terminate upon coverage under this general permit.

G4. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial.

G5. TERMINATION OF GENERAL PERMIT COVERAGE UPON ISSUANCE OF AN INDIVIDUAL PERMIT

When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G6. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G7. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G8. SEVERABILITY

The provisions of this general permit are severable, and if any provisions of this general permit, or application of any provisions of this general permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this general permit shall not be affected thereby.

G9. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;
B. To have access to and copy, at reasonable times and at reasonable costs, any records that must be kept under the terms of this permit;
C. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit;
D. To sample or monitor at reasonable times any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G10. DUTY TO REAPPLY

The Permittee shall reapply for coverage under this permit, at least, one hundred-eighty (180) days prior to the specified expiration date of this permit. An expired permit continues in force and effect until a new permit is issued or until the Department cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

G11. DUTY TO PROVIDE INFORMATION

The permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit.

G12. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G13. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

G14. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least one hundred and eighty (180) days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G15. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G16. REPORTING A CAUSE FOR GENERAL PERMIT MODIFICATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G15. above, or 40 CFR 122.62 shall report such plans, or such information, to the Department so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. The Department may then require submission of a new *Application for Coverage* under this, or another general permit, or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new *Application for Coverage* has been approved and corresponding permit has been issued.

G17. REPORTING A CAUSE FOR MODIFICATION OF COVERAGE

The Permittee shall submit a new *Application for Coverage* whenever facility expansions, production increases, or process modifications are anticipated that will (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants; or (2) violate the terms and conditions of this permit. Substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants for this industry means a wastewater discharge increase of 25% over the amount specified in the current application for coverage, a new source of wastewater that requires different treatment processes and alters wastewater discharge characteristics, or a change/addition of the chemicals used, altering the wastewater discharge characteristics. This new *Application for Coverage* shall be submitted at least sixty (60) days prior to the proposed changes. Submission of the *Application for Coverage* does not relieve the Permittee of the duty to comply with the existing permit.

Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by the Department.

G18. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any discharge authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

A. Violation of any term or condition of this permit;
B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
E. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;
F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or
H. Incorporation of an approved local pretreatment program into a municipality's permit.

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G19. PERMIT TRANSFER

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department. Coverage under this permit is automatically transferred to a new owner or operation if:

A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
B. A copy of this permit is provided to the new owner; and
C. The Department does not notify the new Permittee of the need to submit a new *Application for Coverage* under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.

Unless this permit is automatically transferred according to Section A above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G20. DUTY TO COMPLY

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act or RCW 90.48 or WAC 173-226 and is grounds for enforcement action, for permit termination, or denial of a permit renewal application.

G21. DISCHARGES FROM ACTIVITIES NOT COVERED BY THE GENERAL PERMIT

The discharge of pollutants resulting from activities not covered under this general permit shall be a violation of the terms and conditions of this general permit, unless such discharges are covered under another discharge permit.

G22. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its general permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided.

G23. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G24. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G25. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G26. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of, that authorized by this general permit shall constitute a violation of the terms and conditions of this general permit.

G27. RESPONSE TO SIGNIFICANT VIOLATIONS

In the event the Permittee has a significant violation of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within 30 days (5 days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

G28. TOXIC POLLUTANTS

The Permittee shall comply with the effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G29. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludge, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to State waters.

G30. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in this permit; and 4) the Permittee complied with any remedial measures required in this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G31. ENFORCEMENT

Any violation of the terms and conditions of this general permit, the state Water Pollution Control Act and the federal Clean Water Act, will be subject to the enforcement sanctions, direct and indirect, as provided for in WAC 173-226-250.

G32. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more that $10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or both.

G33. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of this permit shall incur, in addition to any other penalty as provided by law a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G34. APPEALS

The terms and conditions of this general permit:

A. As they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of this general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and

B. As they apply to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of this general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that same discharger. Appeal of this permit coverage of an individual discharger shall not affect any other individual dischargers. If the terms and conditions of this general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to the Department for consideration of issuance of an individual permit or permits.

GLOSSARY

"Administrator" means the administrator of the EPA.
“Antidegradation Policy” is as stated in WAC 173-201A-070.
"Authorized representative" means:

1. If the entity is a corporation, the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operation facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. If the entity is a partnership or sole proprietorship, a general partner or proprietor, respectively; and
3. If the entity is a federal, state or local governmental facility, a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible, and the written authorization is submitted to the Department.

"Best management practices (BMPs)" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State and their sediments. BMPs also include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
"Biochemical oxygen demand (BOD_5)" means the quantity of oxygen required for aerobic bacteria to oxidize the organic decomposable matter in water under standard laboratory procedures in five (5) days at twenty degrees Centigrade (20°C), expressed in milligrams per liter (mg/L). An index to the degree of organic pollution in water.
"Bypass" means the intentional diversion of waste streams from any portion of a treatment (pollution control) facility or system.
"Capital improvements" means the following improvements which will require capital expenditures:

1. Manufacturing modifications including, but not limited to, process changes for source reduction;
2. Treatment BMPs including, but not limited to, the following:
   A. Biofiltration systems including constructed wetlands;
   B. Settling basins;
   C. Oil separation equipment; and
   D. Detention and retention basins.
3. Roofs and appropriate covers for manufacturing areas; and
4. Concrete pads and dikes with appropriate pumping for collection of storm water and transfer to control systems, from manufacturing areas.

"Code of Federal Regulations (CFR)" means a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. Environmental regulations are in Title 40.

"Color" means the optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.
"Combined sewer" means a sewer which has been designed to serve as both a sanitary sewer and a storm sewer, and into which infiltration is allowed.
"Combined waste treatment facility" means a "publicly owned treatment works" in which the maximum monthly average influent from any one industrial category, or categories producing similar wastes, constitutes over eighty-five percent (85%) of the design load for BOD_5 or total suspended solids (TSS). Each single industrial category must contribute a minimum of ten percent (10%) of the applicable load.
"Composite sample" means the combined mixture of not less than four (4) "discrete samples" taken at selected intervals based on an increment of either flow or time. Volatile pollutant discrete samples must be combined in the laboratory immediately prior to analysis. Each discrete sample shall be of not less than 200 ml and shall be collected and stored in accordance with procedures prescribed in the most recent edition of Standard Methods for Examination of Water and Wastewater.
"Conveyance" means a mechanism for transporting water or wastewater from one location to another location including, but not limited to, pipes, ditches, and channels.
"Daily maximum" means the greatest allowable value for any calendar day.
"Daily minimum" means the smallest allowable value for any calendar day.
"Dangerous waste" means the full universe of wastes regulated by Chapter 173-303 WAC, including hazardous waste.
"Degrees C" means temperature measured in degrees Celsius.
"Degrees F" means temperature measured in degrees Fahrenheit.
“Delegated Pretreatment POTW” means a POTW which administers a pretreatment program that meets the criteria established in 40 CFR 403.8 and 403.9 and has been approved by the Department of Ecology.
"Department" means the Washington State Department of Ecology.
"Detention" means the collection of water into a temporary storage device with the subsequent release of water either at a rate slower than the collection rate, or after a specified time period has passed since the time of collection.
"Director" means the director of the Washington State Department of Ecology or his/her authorized representative.
"Discharger" means an owner or operator of any "facility", "operation", or activity subject to regulation under Chapter 90.48 RCW.
"Discrete sample" means an individual sample which is collected from a wastestream on a one-time basis without consideration to flow or time, except that aliquot collection time should not exceed fifteen (15) minutes in duration.
"Effluent limitation" means any restriction established by the local government, the Department, and EPA on quantities, rates, and concentrations of chemical, physical, biological, and/or other effluent constituents which are discharged from point sources to any site including, but not limited to, waters of the state.
"Environmental Protection Agency (EPA)" means the U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for a duly authorized official of said agency.
"Erosion" means the wearing away of the land surface by movements of water, wind, ice, or other agents including, but not limited to, such geological processes as gravitational creep.

"Existing operation" means an operation which commenced activities resulting in a discharge, or potential discharge, to waters of the state prior to the effective date of the general permit for which a request for coverage is made.
"Facility" means the actual individual premises owned or operated by a "discharger" where process or industrial wastewater is discharged.
"Freeboard" means the vertical distance between the uppermost horizontal surface level of a lagoon's contents and the lowermost horizontal surface level of its dike's crown.
"FWPCA" means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as now or as it may be amended.
"General permit" means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.
"Gpd" means gallons per day.
"Grab sample" is synonymous with "discrete sample".
"Ground water" means any natural occurring water in a saturated zone or stratum beneath the surface or land or a surface water body.
Hazardous waste" means those wastes designated by 40 CFR Part 261, and regulated by the EPA.
"Individual permit" means a discharge permit for a single point source or a single facility.
"Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feedlots, poultry house, or dairies. The term includes contaminated storm water and also, leachate from solid waste facilities.
"Interference" means a discharge by an industrial user which, alone or in conjunction with or discharges by other sources, inhibits or disrupts the POTW or private wastewater disposal system, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of violation of any requirement of any NPDES or State discharge permit including an increase in the magnitude or duration of a violation or any increase in the cost of treatment of sewage or in the cost of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): section 405 of the FWPCA (33 U.S.C. 1251 et seq.); the Solid Waste Disposal Act (SWDA), including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.); and any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act (42 U.S.C. 7401 et seq.), the Toxic Control Act (TSCA) (15 U.S.C. 2601 et seq.), and the Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1401 et seq.).
"Landfill" means an area of land or an excavation in which wastes are placed for permanent or temporary disposal, and which is not a land application site, dust abatement site, surface impoundment, injection well, or waste pile.
"Leachate" means any liquid that has percolated through soil and contains substances in solution or suspension.
"Liner" means an HDPE (or equivalent) geomembrane material with a thickness specifically engineered to withstand internal and external pressure gradients, physical contact with wastes, climatic conditions, and stresses of installation and daily operation. The lagoon liner must meet or exceed the specifications of a 30 mil HDPE geomembrane liner for lagoons constructed

before July 1, 2004 and 40 mil HDPE for lagoons constructed after that date. For the purposes of this general permit, only geomembrane liners are acceptable.
"May" is permissive.
"Mg/L" means milligrams per liter and is equivalent to parts per million (ppm).
"Monthly average" means that value determined by the summation of the instantaneous measurements during any single month divided by the number of instantaneous measurements collected during that same single month.
"Municipal sewerage system" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility that is under contract to a municipality.
"New operation" means an operation which commenced activities which result in a discharge, or a potential discharge, to waters of the state on or after the effective date of an applicable general permit.
"Non-contact cooling water (NCCW)" means water used for cooling which does not come into direct contact with any production site raw material, intermediate product, waste product, or finished product.
"NPDES" means the National Pollutant Discharge Elimination System under section 402 of FWPCA.
"Operation" is synonymous with "facility".
"Party" means an individual, firm, corporation, association, partnership, copartnership, consortium, company, joint venture, commercial entity, industry, private corporation, port district, special purpose district, irrigation district, trust, estate, unit of local government, state government agency, federal government agency, Indian tribe, or any other legal entity whatsoever, or their legal representatives, agents, or assignees.
"Pass through" means the discharge of pollutants through a municipal or private wastewater disposal system into waters of the state in quantities or concentrations which are a cause of a violation of or significantly contribute to a violation of any requirement of water quality standards for waters of the state, Chapter 173-201A WAC, or of the NPDES or state waste discharge permit, including an increase in the magnitude or duration of a violation (section 307 of the FWPCA). Failure to obtain approval of an application for a new or increased discharge or change in the nature of the discharge according to WAC 173-216-110(5) would constitute such a violation.
"Permit" means an authorization, license, or equivalent control document issued by the Department to implement Chapter 173-200 WAC, Chapter 173-216 WAC and/or Chapter 173-226 WAC.
"Person" is synonymous with "party".
"pH" means the logarithm of the reciprocal of the mass of hydrogen ions in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7}. pH is a measure of a substance's corrosivity (acidity or alkalinity).
"Point source" means any discernible, confined and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.
"Pollutant" means any substance discharged, if discharged directly, would alter the chemical, physical, thermal, biological, or radiological integrity of the waters of the state, or would be likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to any legitimate beneficial use, or to any animal life, either terrestrial or aquatic. Pollutants include, but are not limited to, the following: dredged spoil, solid waste,

incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, pH, temperature, TSS, turbidity, color, BOD_5, TDS, toxicity, odor and industrial, municipal, and agricultural waste.

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants.

"Priority pollutant" means those substances listed in the federal 40 CFR Part 423, Appendix A, or as may be amended.

"Private wastewater disposal system" means any system of piping, treatment devices, or other facilities, including a septic tank, that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under the control of the user where the system is not connected to a public sewer.

"Process wastewater" means water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

"Publicly owned treatment works (POTW)" is synonymous with "municipal sewerage system".

"Reasonable times" means at any time during normal business hours; hours during which production, treatment, or discharge occurs; or times when the Department suspects occurrence of a violation.

"Regional administrator" means the regional administrator of Region X of the EPA or his/her authorized representative.

“Representative sample” means a wastewater sample collected at a time, in a place, in a manner, and of a sufficient number of aliquots to yield data which reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant. The sample shall be consistent with the definitions of “grab” and “composite” samples. Variable effluent flows and variable pollutant concentrations may require greater numbers of aliquots than specified in the “composite” definition.

"Retention" means the collection of water into a permanent storage device, with no subsequent release of water.

"Sanitary sewer" means a sewer which is designed to convey sanitary sewage and into which infiltration is not allowed.

“Secondary treatment” is generally defined as 85% removal of TSS and BOD_5 with a maximum limit of 30 mg/l each although exceptions do exist for waste stabilization ponds and trickling filters.

"Severe property damage" means substantial physical damage to property, damage to the pretreatment facilities or treatment/disposal facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays or losses in production.

"Shall" is mandatory.

"Significant" is synonymous with "substantial".

"Significant process change" means any change in a facility's processing nature which will result in new or substantially increased discharges of pollutants or a change in the nature of the

discharge of pollutants, or violate the terms and conditions of this general permit, including but not limited to, facility expansions, production increases, or process modifications.
"Site" means the land or water area where any "facility", "operation", or "activity" is physically located or conducted, including any adjacent land used in connection with such facility, operation, or activity. "Site" also means the land or water area receiving any effluent discharged from any facility, operation, or activity.
"Small business" has the meaning given in RCW 43.31.025(4).
"Standard Industrial Classification (SIC) Code" means a classification pursuant to the Standard Industrial Classification Manual issued by the U.S. Office of Management and Budget.
"State" means the State of Washington.
"Storm drain" means a sewer that is designed to convey storm water and infiltration.
"Storm sewer" is synonymous with "storm drain".
"Storm water" means any flow occurring during or following any form of natural precipitation, and resulting there from, including snowmelt.
"Storm water facility" means a constructed component of a storm water drainage system, designed or constructed to perform a particular function, or multiple functions. Storm water facilities include, but are not limited to, swales, ditches, culverts, street gutters, detention/retention basins, infiltration devices, oil/water separators, sediment basins, and modular pavement.
"Substantial" means any difference in any parameter including, but not limited to, the following: monitoring result, process characteristic, permit term or condition; which the Department considers to be of significant importance, value, degree, amount, or extent.
"Surface waters of the state" means all waters defined as "waters of the United States" in 40 CFR 122.2 within the geographic boundaries of the state of Washington. This includes lakes, rivers, ponds, streams, inland waters, ocean, bays, estuaries, sounds, inlets, and all other surface water and water courses including wetlands within the jurisdiction of the state of Washington.
"Total residual chlorine" means the amount of chlorine remaining in water or wastewater which is equivalent to the sum of the combined residual chlorine (non-reactive) and the free residual chlorine (reactive), expressed in mg/L.
"Total dissolved solids (TDS)" means total dissolved matter dissolved in water or wastewater, expressed in mg/L.
"Total suspended solids (TSS)" means total suspended matter that either floats on the surface of, or is in suspension in water or wastewater, expressed in mg/L.
"Toxic amounts" means any amount, i.e., concentration or volume, of a pollutant which causes, or could potentially cause, the death of, or injury to, fish, animals, vegetation or other resources of the state, or otherwise causes, or could potentially cause, a reduction in the quality of the state's waters below the standards set by the Department or, if no standards have been set, causes significant degradation of water quality, thereby damaging the same.
"Toxics" means those substances listed in the federal priority pollutant list and any other pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under section 307 of the FWPCA (33 U.S.C. 1317 et seq.), or the Department under Chapter 173-200 WAC, Chapter 173-201A WAC, or Chapter 173-204 WAC.
"Unirrigated" means any lands having not been irrigated within 10 days prior to, or within 60 days after the application of any wastestream.
"Upset" means an exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with permit effluent limitations due to factors beyond the reasonable

control of the discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation thereof.

"Wastewater" means liquid-carried human wastes or a combination of liquid-carried waste from residences, business buildings, or industrial establishments.

"Waters of the state" means all waters defined as "surface waters of the state" and all waters defined as "waters of the state" in RCW 90.40.020.

"Water quality" means the chemical, physical, biological characteristics of water, usually in respect to its suitability for a particular purpose.

“Water Quality Preservation Area (WQPA)” means waters which have been designated as high quality waters based upon one or more of the following criteria:

Waters in designated federal and state parks, monuments, preserves, wildlife refuges, wilderness areas, marine sanctuaries, estuarine research reserves, and wild and scenic rivers;

Aquatic habitat having exceptional importance to one or more life stage of a candidate of listed priority species, established by the state Department of Fish & Wildlife, or a federally proposed or listed threatened or endangered species;

Rare aquatic habitat, ecological reference sites, or other waters having unique and exceptional ecological or recreational significance.

"Water quality standards" means the state of Washington's water quality standards for ground waters of the state (Chapter 173-200 WAC) and the state of Washington's water quality standards for surface waters of the state (Chapter 173-201A WAC).

In the absence of other definitions as set forth herein, the definitions as set forth in 40 CFR Part 403.3 shall be used for circumstances concerning the discharge of wastes.